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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,310	02/07/2002	Katsushi Fujii	219204US6	7061
22850	7590	12/14/2007		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER HUYNH, BA	
			ART UNIT 2179	PAPER NUMBER
			NOTIFICATION DATE 12/14/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/067,310

Applicant(s)

FUJII ET AL.

Examiner

Ba Huynh

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/25/07 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication 2002/0071,540 (Dworkin), in view of US patent #6,363,352 (Dailey et al), further in view of US patent application publication 2002/0071540 (Takagi et al)

- As for claims 1-4: Dworkin teaches a computer implemented system and corresponding method connected to a network server (figure 2) for managing a first service of distributing contents (0027) in real-time according to a

reservation made in advance by a first terminal, and, to a second terminal for requesting the use of first service and the use of a second service of providing a chat space (0002-0008, 0015-0019, 0022), comprising the means/steps for:

acquiring means configured to acquire reservation information, sent by the first terminal, to the information processing apparatus from a reservation database in order to provide the first service for a first period of time (0015, 0023, 0025, 0027),

generating means configured to generate the chat space for each streaming content corresponding to the reservation (0019-0022, 0025-0028),

providing means for providing the second service for the terminals (0022, 0024, 0025), means for recording and playing back (storing in a file, 0027).

Dworkin fails to clearly teach that the generation unit the group chat space for a second period of time that commences earlier than the first period of time. However in the same field of invention Dailey teaches a generation unit to generate the group chat space earlier than a scheduled time (i.e., earlier than the first period of time, 3:14-32, 5:18-36, 12:30-36). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey teaching to Dworkin for generating the group chat space earlier than a scheduled time. Motivation of the combining is for giving participants enough time for preparation. The combined Dworkin and Dailey fail to teach that the second period of time ends later than the first period of time. However, in light of Dworkin and Dailey, it

would have been obvious to one of skill in the art, at the time the invention was made, to implement that the second period of time ends later than the first period of time. Motivation of the combining is for giving participants enough time to wrap up.

In Dworkin it is inherently included that the content of the meeting (whole or part) is automatically supplied to the first terminal at scheduled time (0026). Even if it is not, automatically supplying the content of the meeting at scheduled time is well known in the art (see Dailey 2:65-3:3 and 12:28-56). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey's teaching of automatically supplying the whole or part of the content of chatting performed in the chat space to Dworkin. Motivation of the combine is for automating the service at scheduled time.

Although Dworkin teaches storing the content of the chat in a file, Dworkin is silent regarding storing the content of the group chatting in a shared file and sending the file to the first terminal after the meeting. However, in the same field of electronic conferencing, Takagi et al teach the storing the content of the group chatting in a shared file and sending the file to the first terminal (Takagi's 0083, 0084, 0187). It would have been obvious to one of skill in the art, at the time the invention was made, to adapt Takagi's teaching to Dworkin for storing the content of the group chatting in a shared file and sending the file to the first terminal after the meeting. Motivation of the combining is for reporting a copy of the

meeting for management purpose. In light of the combining, it would have been obvious to one of skill in the art to implement sending the file after the end of the second period. KSR Int'l v. Teleflex Inc., 82 USPQ2d at 1395-1397.

Response to Arguments

2. Applicant's arguments with respect to claims 1-4 have been considered but are not deemed persuasive. The limitation second period of time longer than the first period of time have been addressed as set forth in the rejection.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ba Huynh whose telephone number is (571) 272-4138. The examiner can normally be reached on Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Ba Huynh
Primary examiner
AU 2179
12/06/07

BA HUYNH
PRIMARY EXAMINER

A large, stylized handwritten signature in black ink is written over the printed name and title. The signature is fluid and cursive, with a long horizontal stroke extending to the right.